

**ARTICLE 8**  
**HIGHWAY COMMERCIAL DISTRICT - B-2**

**STATEMENT OF INTENT**

This district is intended to provide sufficient space in appropriate locations for a wide variety of commercial and miscellaneous service activities, generally serving a wide area and located particularly along certain existing major thoroughfares where a general mixture of commercial and service activity now exists, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, open storage of materials or the nuisance factors of dust, odor, and noise associated with manufacturing. This includes such uses as retail stores, banks, business offices, drive-in restaurants, and automobile sales and service facilities.

**SECTION 8-1.       USE REGULATIONS.**

Structures to be erected and land to be used shall be for the following uses:

- |       |   |
|-------|---|
| 8-1-1 | Repealed. (9-12-89, Case TA-89-01, Ord. No. 022-89)   |
| 8-1-2 | Repealed. (9-12-89, Case TA-89-01, Ord. No. 022-89)   |
| 8-1-3 | Repealed. (9-12-89, Case TA-89-01, Ord. No. 022-89)   |
| 8-1-4 | Repealed. (9-12-89, Case TA-89-01, Ord. No. 022-89)   |
| 8-1-5 | Repealed. (9-12-89, Case TA-89-01, Ord. No. 022-89)   |
| 8-1-6 | Home occupations in accord with Section 18-19 of this Ordinance.<br>(10-11-83, Case TA-83-06, Ord. No. 034-83)  |
| 8-1-7 | Accessory uses, as defined.   |
| 8-1-8 | Automobile and truck sales and service establishments and rental agencies, provided that vehicle lifts and pits and all service and repair of motor vehicles shall be within a building enclosed on all sides. (10-11-83, Case TA-83-06, Ord. No. 034-83) |
| 8-1-9 | Banks and financial institutions.   |

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- 8-1-10 Bowling alleys.
- 8-1-11 Building supplies and service with storage under cover.
- 8-1-12 Car washes.
- 8-1-13 Churches.
- 8-1-14 Contractors' establishments, offices and display rooms. (10-17-95, Case TA-95-04, Ord. No. 053-95)
- 8-1-15 Convenience and service establishments such as, but not limited to, barber shops, beauty parlors, tailors, automatic self-service laundries.
- 8-1-16 Day nursery or day care center.
- 8-1-17 Fire stations and rescue squad stations.
- 8-1-18 Funeral homes.
- 8-1-19 Government offices.
- 8-1-20 Bed & Breakfast Inns, Bed & Breakfast Homestays, Hotels and motels. (12-13-94, Case TA-94-09, Ord. No. 028-94)
- 8-1-21 Institutions of higher education.
- 8-1-22 Laundry, cleaning, and dyeing works in which no combustible solvent is used.
- 8-1-23 Library.
- 8-1-24 Machinery sales and service.
- 8-1-25 Museums and art galleries.
- 8-1-26 Newspaper office buildings, including printing and publishing facilities incidental to such use.
- 8-1-27 Office, business and professional.
- 8-1-28 Parking garages and parking lots.

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- 8-1-29 Pet shops.
- 8-1-30 Philanthropic and charitable institutions.
- 8-1-31 Plant nurseries and greenhouses.
- 8-1-32 Processing or manufacturing establishments that are not objectionable because of smoke, odor, dust, or noise, but only when such processing or manufacturing is incidental to a retail business conducted on the premises and where not more than ten (10) persons are employed on the premises in the processing or manufacturing activities.
- 8-1-33 Public utilities, such as poles, lines, distribution transformers, pipes, meters, water and sewer lines, booster or relay stations, transformer substations, transmission lines and towers.
- 8-1-34 Radio and television broadcasting stations, studios, or offices.
- 8-1-35 Repair services or businesses, including repair of bicycles, guns, radios, television sets, electrical appliances, locks, and other home appliances, shoes, toys, typewriters, watches, and clocks.
- 8-1-36 Restaurants.
- 8-1-37 Retail stores.
- 8-1-38 Schools.
- 8-1-39 Service stations, provided that all repair of vehicles take place in a fully enclosed building. (10-11-83, Case TA-83-06, Ord. No. 034-83)
- 8-1-40 Special care hospitals.
- 8-1-41 Outdoor storage of materials and supplies and display of merchandise for sale or rent incidental to the conduct of any permitted uses on the lot as provided for in Section 18-20 of this Ordinance. (10-17-95, Case TA-95-04, Ord. No 053-95)
- 8-1-42 Theaters, motion picture theaters, and assembly halls.
- 8-1-43 Veterinary hospitals.

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- 8-1-44 Wholesale businesses where loading areas are completely screened from public street view.
- 8-1-45 Off-Street Parking Areas as defined in Section 18-6 of this Ordinance for permitted and conditional uses in the B-2 District and access drives for permitted and conditional uses in the B-1, CM-1, M-1, M-2, MC and HE-1 Districts in accordance with Section 18-6 of this Ordinance. (8-12-97, TA-97-06, Ord. No. 019-97, 3-8-05, TA-04-08)
- 8-1-46 Signs in accordance with Section 18-8 of this Ordinance.
- 8-1-47 Commercial Records Center. (4-12-94, Case TA-94-03, Ord. No 011-94)
- 8-1-48 Print Shops. (10-08-96, Case TA-96-05, Ord. No. 025-96)
- 8-1-49 Physical fitness or martial arts establishments. (10-14-97, Case TA-97-09, Ord. No. 027-97)
- 8-1-50 Assembling establishments not involved in any on site manufacturing that are not objectionable because of smoke, odor, dust, or noise with not more than ten (10) persons employed. (1-14-03, Case TA-02-10, Ord. No. 003-2003)
- 8-1-51 Bakery (1-14-03, Case TA-02-10, Ord. No. 003-2003)

### **SECTION 8-2. USES REQUIRING A CONDITIONAL USE PERMIT (5-16-78).**

- 8-2-1 Mini-warehouses/mini-storage, as defined, subject to the following provisions. (5-16-78) (Revised section adopted 9-10-91, Case TA-91-02, Ord. No. 037-91)
- a. Repealed. (10-17-95, Case TA-95-04, Ord. No. 053-95)
  - b. No business activities other than rental of storage units and office use shall be conducted on the premises or within the building. Specifically, no activities such as miscellaneous or garage sales shall be conducted on the premises. The servicing or repair of motor vehicles, boats, trailers, lawn mowers, or other similar equipment shall not be conducted on the premises. The operation of a mini-warehouse/mini-storage shall in no way be deemed to include a transfer and storage business where the use of vehicles is part of such business.
  - c. When a mini-warehouse/mini-storage is built adjacent to or within 100 feet of a lot in a residential district without an intervening

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street, a solid wall or fence at least six (6) feet in height, with its finished side facing the residential lot, shall be erected between the mini-warehouse/mini-storage and the residential lot. However, the wall or fence shall not be required to extend into the front yard required on the lot on which it is located.

- d. No entrances to individual compartments shall front on any public street.
- e. The maximum height of the storage section of a mini-warehouse/mini-storage building shall be twenty-five (25) feet.
- f. The maximum total storage area in a mini-warehouse/ mini-storage building shall be seven thousand, five hundred (7,500) square feet.

- 8-2-2 Adult bookstores, adult motion picture theaters, and adult mini-motion picture theaters, provided that no two such uses shall be permitted within one thousand (1,000) feet of each other; and that no such uses shall be permitted within five hundred (500) feet of any residentially zoned district or the nearest property line of any church, school, library, or playground. No such uses shall be open for business later than 11:00 p.m. or earlier than 9:00 a.m. (10-12-82, Case TA-82-10, Ord. No.
- 8-2-3 Miniature golf courses and golf driving ranges.
- 8-2-4 Nightclubs and dance halls.
- 8-2-5 Nursing and rest homes. (1-12-84, Case TA-83-07, Ord. No. 001-84)
- 8-2-6 Pool and billiard rooms.
- 8-2-7 Private clubs and lodges.
- 8-2-8 Roller Rinks.
- 8-2-9 Tourist homes.
- 8-2-10 Kennels, provided no such use is situated within 500 feet of any residential district and limited to a maximum of 25 animals at any one time.
- 8-2-11 Single family detached dwellings. (9-12-89, Case TA-89-01, Ord. No. 022-89)
- 8-2-12 Repealed. (3-14-95, Case TA-94-14, Ord. No. 013-95)

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- 8-2-13 Repealed. (3-14-95, Case TA-94-14, Ord. No. 013-95)
- 8-2-14 Repealed. (3-14-95, Case TA-94-14, Ord. No. 013-95)
- 8-2-14.1 Repealed. (3-14-95, Case TA-94-14, Ord. No. 013-95)
- 8-2-15 Repealed. (3-14-95, Case TA-94-14, Ord. No. 013-95)
- 8-2-16 Bus terminals. (6-14-94, Case TA-94-06, Ord. No. 019-94)
- 8-2-17 Transmitting and receiving facilities and towers for cellular communications systems and similar communications systems in accordance with Section 18-2-1.2 of this Ordinance. (2-13-96, Case TA-95-07, Ord. No. 002-96)
- 8-2-18 Protected Population Residences in accordance with section 3-1-11. (2-11-97, Case TA-96-09, Ord. No. 005-97)
- 8-2-19 Extended stay lodging.

### **SECTION 8-3. AREA REGULATIONS.**

The minimum lot area for uses shall be as follows: (9-12-89, Case TA-89-01, Ord. No. 022-89)

- 8-3-1 Single family detached dwellings - 10,000 square feet per unit.
- 8-3-2 Repealed. (3-14-95, Case TA-94-14, Ord. No. 013-95)
- 8-3-3 Repealed. (3-14-95, Case TA-94-14, Ord. No. 013-95)
- 8-3-4 Repealed. (3-14-95, Case TA-94-14, Ord. No. 013-95)
- 8-3-5 Other permitted and conditional uses - For each building containing or intended to contain one (1) or more permitted or conditional uses, there shall be a minimum lot area of ten thousand (10,000) square feet. (5-16-78)

### **SECTION 8-4. LOT WIDTH REGULATIONS.**

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The minimum lot width for all permitted uses and uses requiring a conditional use permit shall be one hundred (100) feet, except that for townhouses, the minimum lot width may be reduced down to twenty-four (24) feet per unit. The property line shall be the middle of the common wall of townhouse units. (8-9-88, Case TA-88-03, Ord. No. 028-88)

### **SECTION 8-5. SETBACK REGULATIONS.**

- 8-5-1 Main buildings: Thirty-five (35) feet. (3-8-94, Case TA-93-08, Ord. No. 004-94)
- 8-5-2 For canopies covering gasoline or other petroleum pumps or dispensers which are oriented at an angle between forty-five (45) and ninety (90) degrees to the adjacent right-of-way line, there shall be a twenty (20) foot setback required from any street or highway, or from any street or highway right-of-way. Where the above angle is less than forty-five degrees, there shall be a ten (10) foot setback. No setback shall be required for canopies to be installed above existing islands or replacement islands provided the replacement islands come no closer to the street right-of-way than the closest existing island to the right-of-way and provided dispensing of petroleum does not cease for more than six consecutive months anytime subsequent to adoption of this amendment. (1-9-90, Case TA-89-06, Ord. No. 90-01)

### **SECTION 8-6. YARD REGULATIONS.**

- 8-6-1 Side.
- a. The minimum width for each side yard for single family detached dwellings and two-family dwellings shall be ten (10) feet, except as per Section 8-8 of this Ordinance. (9-12-89, Case TA-89-01, Ord. No. 022-89)
  - b. The minimum width of each side yard for townhouse dwellings shall be 10 feet except as per Section 8-8 of this Ordinance, except along common property lines of units within the same townhouse dwelling in which case the common side yard equals zero (0) feet and except that townhouse dwellings abutting a LR or MR Residential District in which case a 25-foot minimum side yard is required. (9-12-89, Case TA-89-01, Ord. No. 022-89)
  - c. The minimum width of each side yard for a multifamily structure shall be fifteen (15) feet except as per Section 8-8 of this Ordinance and except when abutting a LR or MR Residential

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District in which case a 50-foot minimum side yard is required.  
(9-12-89, Case TA-89-01, Ord. No. 022-89)

- d. The minimum width of each side yard for a main structure for other permitted or conditional uses shall be ten (10) feet, except that when such use abuts a residential district, there shall be a side yard of twenty-five (25) feet and except as per Section 8-8 of this Ordinance. No side yard shall be required when a building adjoins a railroad right-of-way. (9-12-89, Case TA-89-01, Ord. No. 022-89)

8-6-2 Rear. Each main structure shall have a rear yard of at least twenty-five (25) feet except when such use abuts a residential district in which case there shall be a minimum rear yard of fifty (50) feet and except as follows. No rear yard shall be required when a building adjoins a railroad right-of-way and the proposed building or structure functionally requires immediate proximity to the railroad right-of-way or siding as determined by the administrator. (9-12-89, Case TA-89-01, Ord. No. 022-89) (9/11/01, TA-01-03, Ord. No. 028-2001)

8-6-2.1 When a multifamily structure abuts a LR or MR residential district in which case there shall be a rear yard minimum of seventy-five (75) feet. (9-12-89, Case TA-89-01, Ord. No. 022-89)

### **SECTION 8-7. HEIGHT REGULATIONS.**

- 8-7-1 Buildings may be erected up to thirty-five (35) feet from grade except that:
- a. A building may be erected up to fifty-five (55) feet provided that the required side and rear yards are increased by one (1) foot for each foot of building height over thirty-five (35) feet.
  - b. Church spires, belfries, cupolas, chimneys, flues, flag poles, television antennae, radio aerials, and equipment penthouses are exempt.

### **SECTION 8-8. SPECIAL PROVISIONS FOR CORNER LOTS.**



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- 8-8-1            Of the two (2) sides of a corner lot, the front shall be deemed to be the shorter of the two (2) sides fronting on streets.
- 8-8-2            The side yard facing on the side street shall be thirty-five (35) feet for both main and accessory buildings.

### **SECTION 8-9.            SPECIAL PROVISIONS FOR TOWNHOUSES. (8-9-88, CASE #TA-88-03, ORD. NO. 028-88)**

- 8-9-1            Attached dwellings shall be separated by a wall meeting fire protection requirements as set forth in the Virginia Uniform Statewide Building Code, as amended. (8-9-88, Case TA-88-03, Ord. No. 028-88)
- 8-9-2            Each townhouse shall front on a dedicated public street or a twenty (20) foot minimum pavement width private street. If access is to be provided by means of a private street, the following minimum standards of development shall be observed: (8-9-88, Case TA-88-03, Ord. No. 028-88)
  - 8-9-2.1           Surfacing shall be to City street standards. (8-9-88, Case TA-88-03, Ord. No. 028-88)
  - 8-9-2.2           A sidewalk four (4) feet in width on at least one side of the street, constructed of concrete or brick, shall be provided. (8-9-88, Case TA-88-03, Ord. No. 028-88)
  - 8-9-2.3           The paved radius of all cul-de-sacs shall be at least forty (40) feet. (8-9-88, Case TA-88-03, Ord. No. 028-88)
- 8-9-3            Management of common open space and private streets. As per Section 5-10 of this Ordinance. (8-9-88, Case TA-88-03, Ord. No. 028-88)

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